



CITY OF DURHAM | DURHAM COUNTY
NORTH CAROLINA

Street Closing Report



Meeting Date: June 2, 2014

Reference Name	Street Closing – 1090 linear feet of Chapparral Drive (SC1300005)	Jurisdiction	City
Request	To conduct a public hearing to consider the permanent closing of 1090 linear feet of Chapparral Drive.		
Applicant	Hendrick Automotive Group	Submittal Date	October 16, 2013
Location	South of Renaissance Parkway and west of Fayetteville Road		
Recommendation	Approve permanent closing of the public right-of-way.		

A. Summary

Hendrick Automotive Group proposes to close a 1090 linear foot portion of Chapparral Drive. The portion of right-of-way requested for closure involves two separate portions of Chapparral Drive, as seen on the applicant's plat (Attachment 3). The applicant has requested a portion of the right-of-way remain open for future connectivity purposes. The right-of-way is currently open and the portion requested for closure is bordered by the applicant's property and property owned by Southpoint Mall, LLC. If the request is approved, the right-of-way will be equally divided and recombined with the adjacent properties (Attachment 3).

Hendrick Automotive Group is in the process of developing this area for automotive sales. The most recent version of the submitted site plan – Case D1400046 – is attached (Attachment 4).

B. Area Characteristics

The area surrounding the right-of-way is zoned Commercial General with a Development Plan CG(D) and Commercial Center with a Development Plan CC(D). The subject site is located within the Suburban Tier. The site is located to the south of Renaissance Parkway and to the west of Fayetteville Road. The following table indicates the adjacent land uses and zoning districts:

Adjacent Land Uses and Zoning			
	Uses	Zoning Districts	Overlay Districts
North	Vacant	CC(D)	F/J-B
South	Vacant/Proposed Auto Sales	CG(D)	F/J-B
East	Commercial, Residential	MU(D)	F/J-B
West	Residential	RR	F/J-B

C. Statutory Requirements

North Carolina Statute 160A-299 requires that the Governing Body make two findings prior to closing any street or alley. These are:

- 1) Closing the street or alley is not contrary to the public interest; and
- 2) No individual owning property in the vicinity of the street or alley or in which it is located would be deprived of reasonable means of ingress or egress to that property.

D. Code Requirements

Section 13.5.1 Access, of the Unified Development Ordinance requires that every buildable lot have access to a public or private street that is designed, constructed and maintained to the appropriate standards.

E. Service Impacts

This request was submitted to service agencies for review and comment. Their comments are shown below:

Service Agency Comments		
Service Agency	Comments	How Addressed
NCDOT	No impact	n/a
County - Engineering	No impact	n/a
County - Fire Marshall	No impact	n/a
Durham County Sherriff	No impact	n/a
Emergency Medical Services	No impact	n/a
911	No impact	n/a
Durham Public Schools	No impact	n/a
City - Transportation	No impact	n/a
City - Engineering	No impact	n/a
City - Fire Department	No impact	n/a
City – Parks and Recreation	No impact	n/a
City – Solid Waste	No impact	n/a

Service Agency Comments		
City – Inspections	No impact	n/a
City – General Services	No impact	n/a
Police Department	No impact	n/a
Duke Energy	No impact	n/a
PSNC	No impact	n/a
Frontier	No impact	n/a
Tax Assessor Office	No impact	n/a
Address Coordinator, GIS	No impact	n/a

F. Staff Analysis

The area adjacent to the right-of-way is zoned CC(D) and CG(D) and is in the Suburban Tier. The proposed street closing plat (Attachment 3) indicates that the requested right-of-way will be recombined with the adjacent properties. Staff finds this portion of Chapparral Drive inutile to the public at large and recommends approval of the street closing.

G. Recommendation

Approve the permanent closing of 1090 linear feet of public right-of-way.

H. Staff Contact

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I. Attachments

1. Context Map
2. Aerial Map
3. SC1300005 – Street Closing Plat Reduction
4. D1400046 – Site Plan Reduction
5. Street Closing Application
6. Street Closing Order